

COUNTY OF SAN DIEGO, CALIFORNIA
BOARD OF SUPERVISORS POLICY

Subject

Policy and Procedures for Preparation of Community Right-of-Way Development Standards

**Policy
Number**

J-36

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Purpose

To provide a policy and procedures for the preparation and implementation of Community Right-of-Way Development Standards.

Background

The County Department of Public Works maintains County-wide Public Road Standards, which govern items in the public right-of-way including width of the roadway, sidewalks, lights, curbs, signs, medians and driveways. These standards have been established to guide road development, ensure maximum safety, maintain road capacity and standardize costs. Various communities have expressed an interest in deviating from these standards to ensure that the road right-of-way is designed to better enhance and retain the character of their community. Examples might be the installation of wood sign posts and street furniture, ornamental lighting, the use of decorative crosswalk or sidewalk materials, establishing a consistent landscape theme, alternative curb design, or other features that establish or retain the individual character of the community.

This policy provides a procedure by which communities can deviate from the established County Public Road Standards, and replace or augment them with standards tailored to their community. Community Right-of-Way Development Standards can affect all items within the right-of-way except the travel lanes themselves. The standards for width, type of materials and the geometrics of the travel lanes are fixed standards based on the capacity and safety of the roadway. These standards will be not varied; however, the standards for the other items in the road right-of-way, such as curbs, lighting, landscaping, and other design elements can be modified through adoption of Community Right-of-Way Development Standards. A basic premise of this Policy is that Community Right-of-Way Development Standards must not compromise safety or increase County liability, and must not alter or diminish the basic functional vehicle capacity of the roadway. In addition, the community and/or private individuals must bear any additional cost of administration, installation, and maintenance of roadway improvements resulting from implementation of the alternative community standards.

This policy establishes procedures to be followed in the preparation of Community Right-of-Way Development Standards in order to ensure that the guidelines are supported by the County Board of Supervisors and by the community at large.

Policy

It is the policy of the Board of Supervisors that the preparation of Community Right-of-Way Development Standards shall conform to the following procedures.

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Procedures

1. Authorization

a. Maximum public participation is normally evident during initial preparation or major update of community and subregional plans. Therefore, the inclusion of a policy statement in a community or subregional plan that calls for Community Right-of-Way Development Standards will be considered as evidence of local support for such a program. The community or subregional plan shall specify at a minimum: (1) the geographic area to be covered by Community Right-of-Way Development Standards; (2) the objectives to be achieved; and (3) potential funding sources for additional costs created by the community standards. The County may provide assistance in preparation of Community Right-of-Way Standards as part of the plan implementation program.

b. The Board of Supervisors may authorize assistance in preparation of Community Right-of-Way Development Standards, when a request is made by a recognized community group, such as the community planning or sponsor group or chamber of commerce. Such a request shall be supported by evidence of significant public interest in the Community in support of Community Right-of-Way Development Standards, including an intent to fund any additional cost incurred in the implementation of the Community Right-of-Way Development Standards, particularly by property owners who would be directly affected.

2. Responsible Group

a. The community planning or sponsor group shall be responsible for overseeing the preparation of the Community Right-of-Way Development Standards in conformance with this policy.

b. The community planning or sponsor group may appoint a subcommittee to prepare an initial set of Community Right-of-Way Development Standards for review by the general community. The subcommittee shall include interested citizens representing the geographic areas to be affected by the standards. These interested citizens may not necessarily be members of the community planning or sponsor group.

c. The preparation of Community Right-of-Way Development Standards will require professional assistance to work with the Community. Such professional assistance shall be provided by the County of San Diego, or by consultants under contract to the County of San Diego. Costs incurred for the preparation of

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Community Right-of-Way Development Standards shall be borne either by the County at large, by the community requesting the standards, or by the County with reimbursement by the community, at the discretion of the Board of Supervisors.

3. Community Involvement

a. The community planning or sponsor group shall ensure that adequate notice is given to the general community that Community Right-of-Way Development Standards are being considered and that all interested citizens are invited to participate in developing and discussing the standards.

b. At any meeting of the community planning or sponsor group where this item may be discussed, the legal ad noticing the meeting shall clearly identify the Community Right-of-Way Development Standards as an agenda item.

c. After the initial set of alternative standards have been prepared, the following shall occur:

(1) A community workshop shall be scheduled at a convenient time and place. Adequate time shall be allowed for the general community to familiarize itself with the alternative proposals before the date of the workshop.

(2) Notices inviting participation in the workshop shall be widely distributed within the community. The notices shall state the date, time and place of the workshop and where copies of the proposed alternatives can be obtained or are available to review.

(3) Copies of the proposed alternatives shall be widely available in the community.

(4) Special effort shall be made to notify owners of property within the areas being considered for Community Right-of-Way Development Standards, including mailed notice to property owners who would potentially fund additional costs resulting from the standards.

d. At the workshop, there shall be full discussion of the alternatives, including anticipated costs and mechanisms for implementation and maintenance. The

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community planning or sponsor group shall identify areas of consensus and areas of conflict, and duly note these in the minutes of the meeting/workshop.

e. Communities adjacent to incorporated cities shall notify the appropriate municipality regarding the proposed road standard revisions, and seek coordination of right-of-way improvements where appropriate.

f. A draft set of Community Right-of-Way Development Standards shall be prepared which is responsive to the ideas, concerns, and recommendations of the workshop. The draft shall clearly identify: (1) Community Right-of-Way Development Standards that are intended to be used in lieu of the County-wide standards; (2) the safety and risk aspects associated with the alternative standards; (3) the anticipated additional costs, if any, associated with the implementation of the alternative standards; and (4) the recommended financing plan. The financing plan should include recommendations on the use of Assessment District financing, the establishment of a County Service Area and/or other funding and administrative mechanisms to be used in the construction and maintenance of improvements. As appropriate, additional workshops or other means of community input shall be used to help develop a set of standards and method of funding which are supported by the community at large and the affected property owners.

g. Following completion of the draft Community Right-of-Way Development Standards, the community planning or sponsor group shall schedule a special meeting to present the draft standards, hear comments from the community and vote on recommendations to be forwarded to the Planning Commission and Board of Supervisors for approval. The same community involvement procedure used for the workshop (3.c) shall be followed for the special meeting.

4. County Agency Involvement

The Department of Public Works and Planning and Land Use shall be integrally involved in the process of development of Community Right-of-Way Development Standards. These County departments shall review draft Community Right-of-Way Development Standards at various stages and provide guidance on County requirements regarding road standards, safety and liability issues, design and elements and financing mechanisms.

5. Public Hearing

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When the community planning or sponsor group and County staff are satisfied that there is wide public and property owner support for a set of proposed standards, the Department of Planning and Land Use shall cause public hearings to be scheduled before the Planning Commission and Board of Supervisors.

6. Implementation

- a. County Standards shall remain in effect except for those items specifically changed by the approved Community Right-of-way Development Standards Board.

- b. A community's standards will not become effective until the mechanism is in place to finance any additional implementation and maintenance costs incurred by these standards.

Sunset Date

This policy will be reviewed for continuance by 12-31-10.

Board Action

01-28-87 (5)
12-12-89 (49)
07-14-99 (4)
06-23-04 (12)

CAO Reference

1. Department of Public Works
2. Department of Planning and Land Use